

PATENT

PCT



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: PFANNSCHMIDT

In re Application of:

BERND PFANNSCHMIDT

Appl. No.: 10/542,478

Filed: September 26, 2005

For: GUIDEWAY FOR A MAGLEV VEHICLE

## INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450", on **November 10, 2005**.  
 (Date)

Henry M. Feiereisen

(Name of Registered Representative)

Signature

11-10-2005  
Date of Signature

SIR:

In accordance with 37 C.F.R. 1.56, applicant wishes to call the attention of the Examiner to the following references A) to E) which were cited in the International Search Report issued by the European Patent Office with regard to the corresponding international patent application No. PCT/EP2003/004208. Applicant does not admit that any of the cited documents constitutes prior art against the pending application.

	Country:	Patent or Appl. No:	Patentee or Applicant:	Issue or Filing Date:
A)	Germany	DE 199 31 367 A1	Stahlbau	01-11-2001
B)	Japan	JP 09 037413 A	Kimigafuchi	02-07-1997
C)	Germany	DE 196 19 867 A1	Preussag AG	11-20-1997
D)	Europe	EP 0 987 370 A	Max Bögl	03-22-2000
E)	PCT	WO 2004/044329	CBP Guideway	05-27-2004

Copies of these references are submitted herewith along with form PTO-1449. The Examiner is requested to initial the attached form PTO-1449 and to return a copy of the initialed document to the undersigned as an indication that the attached references have been considered and made of record.

- ☐ This Information Disclosure Statement is filed within three months of the filing date of a national application other than a continued prosecution application under 1.53(d), so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed within three months of the date of entry of the national stage as set forth in 1.491 in an international application, so that no fee under 37 C.F.R. §1.97 is due.
- ☒ This Information Disclosure Statement is filed before the mailing of a first Office Action on the merits, so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed before the mailing of a first Office Action after the filing of a request for continued examination under §1.114, so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed after the issuance of a first office but before issuance of a final action under §1.113, or a notice of allowance under §1.311.
- ☐ This Information Disclosure Statement is submitted after the mailing of a final action or a notice of allowance, but before payment of the issue fee.
- ☐ The undersigned submits the following statement requesting consideration of this statement:  
The undersigned hereby states:
  - ☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement;
  - ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the

information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

- ☐ The fee of \$180.00 set forth in 1.17(p).
- ☐ The Commissioner is hereby authorized to charge the fee as set forth in 1.17(p), and any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.

In order to satisfy the requirement under 37 C.F.R. §1.98(a)(3) for a concise explanation of the relevance of each item of information, applicant herewith submits a copy of the International Search Report. In addition, applicant notes with respect to any information that is not in English language as follows:

With respect to reference A), an English-language Abstract is enclosed..

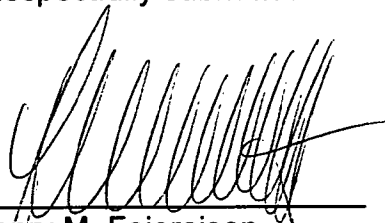
With respect to reference B), an English-language Abstract is enclosed.

The above-identified application discloses and claims an invention patentable over this prior art.

Entry of the references above set forth into the file of the above application is believed to be in order and is respectfully requested.

Respectfully submitted

By:

  
Henry M. Feiereisen  
Agent for Applicant  
Reg. No. 31,084

Date: November 10, 2005  
350 Fifth Avenue  
Suite 4714  
New York, N.Y. 10118  
(212) 244-5500  
HMF:af

**Form PTO-1449**U.S. Department of Commerce  
Patent and Trademark Office**INFORMATION DISCLOSURE CITATION**

<b>Attorney's Docket No.</b>  <b>PFANNSCHMIDT</b>	<b>Applicant</b>  <b>BERND PFANNSCHMIDT</b>	<b>Appl. No.</b>  <b>10/542,478</b>
<b>Filing Date</b>  <b>September 26, 2005</b>	<b>Group</b>	<b>Examiner</b>

**U.S. PATENT DOCUMENTS**

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date, if appropriate

**FOREIGN PATENT DOCUMENTS**

	Document Number	Date	Country	Class	Subclass	Translation
	DE 199 31 367 A1	01-11-2001	Germany			no
	JP 09 037413 A	02-07-1997	Japan			abstract
	DE 196 19 867 A1	11-20-1997	Germany			no
	EP 0 987 370 A	03-22-2000	Europe			no
	WO 2004/044329	05-27-2004	PCT			abstract

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)


**Examiner:**

/Mark Le/

**Date considered:**

09/19/2008

\*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /ML/